

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
NEWNAN DIVISION

UNITED STATES OF AMERICA :  
 :  
v. : Criminal Action No.  
 : 3:21-CR-0004-TCB-RGV  
ROBERT PURBECK :

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE PRETRIAL  
MOTIONS AND TO SCHEDULE PRETRIAL CONFERENCE**

Defendant Robert Purbeck hereby respectfully requests an extension of time in which to file any pretrial motions until Tuesday, October 12, 2021 (Monday, October 11<sup>th</sup> being a federal holiday) and for the Court to hold the initial pretrial conference thereafter. The government has no objection to this requested extension of time, which is needed to continue the defense's review of discovery produced thus far and as well as more discovery that is anticipated to be produced in the coming days. Mr. Purbeck further requests and consents to the Court excluding the period of any extension that is granted from the Speedy Trial Act.

In further support of this motion, Mr. Purbeck respectfully submits as follows.

1. Discovery is voluminous. The government seized multiple computers and hard-drives, among other things. The

parties have been engaged in frequent communications about materials that have been produced/examined and materials that remain to be produced/examined. Following defense counsel's return from summer leave, he made arrangements to go to the Federal Bureau of Investigation to inspect in person the large number of computers, external computer storage devices (e.g. hard-drives, thumb drives, etc.), and other materials seized by the government. While at the F.B.I., counsel retrieved twenty-eight (28) computers and external computer storage devices that the government was not going to use. Counsel also examined the external features of approximately 25 computers/storage devices that the government is retaining for use, including taking photos of these items. At that same time, the F.B.I. also provided defense counsel with a 4TB internal hard drive containing forensic scans of some of those computers that the government is retaining, which will require the defense to engage a forensic computer expert to examine. The F.B.I. has advised that additional 4TB hard drives will be forthcoming with additional forensic scans.

2. Mr. Purbeck lives in Idaho. Since receiving the initial discovery from the government, counsel and Mr. Purbeck have been reviewing the discovery. There is a lot of

discovery to review; it is a time-consuming process. There is a protective order in this case, which prevents counsel from giving certain portions of the discovery to Defendant. While counsel has provided Mr. Purbeck copies of the discovery that he is allowed to share, the portions that must be reviewed together require counsel to schedule sessions during which he and Mr. Purbeck can review discovery simultaneously.

3. The government's recent production of the forensic scans of computers seized by the government and the anticipated additional productions of forensic scans of computers require additional time for the defense to review and analyze. Review and analysis of these scans also require the use of a computer expert, which the defense is in the process of identifying, because under the terms of the protective order Mr. Purbeck cannot possess copies of these materials.

4. Defense counsel and Mr. Purbeck need additional time to complete their review of all of the discovery, including but not limited to the forensic scans produced recently as well as those that should be forthcoming, so that they can determine what motions and/or defenses may exist in this case, as well as determining how best to proceed in this case.

5. Given the volume of discovery that requires review, Mr. Purbeck is requesting through October 12, 2021 to file any pretrial motions and for the Court to hold a pretrial conference thereafter. The government is agreeable with, and has no opposition to, this requested extension of time.

6. Mr. Purbeck hereby consents to the exclusion under the Speedy Trial Act of the time that the Court grants for the requested extension. He further respectfully submits that such additional time is necessary for the effective preparation of his defense in this case.

WHEREFORE, for the reasons stated above, Defendant Robert Purbeck requests that the Court grant this motion and the requested extension of time.

Respectfully submitted, this 3<sup>rd</sup> day of August, 2021.

/s/ Andrew C. Hall  
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Counsel for Defendant Robert Purbeck

CERTIFICATE OF COMPLIANCE WITH TYPE AND FONT  
AND CERTIFICATE OF SERVICE

I hereby certify that this motion has been prepared in Courier New font (12 pt.) and consistent with the Local Rules of this Court.

I further hereby certify that I have this date caused a true and correct copy of the foregoing UNOPPOSED MOTION FOR EXTENSION OF THE TIME TO FILE PRETRIAL MOTIONS AND TO SCHEDULE PRETRIAL CONFERENCE to be served by filing it with the Clerk of Court using the ECF System that will send notification of such filing to:

Assistant United States Attorney Michael Herskowitz and Nathan Kitchens

This the 3<sup>rd</sup> day of August, 2021.

/s/ Andrew C. Hall  
Andrew C. Hall